

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:  
Nobuo Kimura et al.

Application No.: 10/533,580

Confirmation No.: 1723

Filed: December 30, 2005

Art Unit: 1794

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For: DISPERSOID HAVING METAL-OXYGEN  
BONDS, METAL OXIDE FILM, AND  
MONOMOLECULAR FILM

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Examiner: V. Katz

**AFFIDAVIT UNDER 37 CFR 1.132 SHOWING ATTRIBUTION**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, NOBUO KIMURA, or YOSHITAKA FUJITA, do hereby declare and state as follows:

1. I am a citizen of Japan and am more than 21 years of age.
2. I am a co-inventor of the above-identified patent application. I make this declaration on behalf of myself and my co-inventors, Norifumi NAKAMOTO, Motoyuki TOKI, Akiji HIGUCHI, Kazuo ONO, Tomoya HIDAKA and Hiroyuki TAKEDA, in support of this application.
3. I have read and am familiar with the instant application as it was filed in the U.S. Patent and Trademark Office (USPTO), the pending claims, and the outstanding Office Action mailed on January 22, 2010 in connection with this application.

4. Nobuo KIMURA, Yoshitaka FUJITA, Motoyuki TOKI, and Akiji HIGUCHI are named as co-inventors in the present application and are also named as co-inventors in published International Application WO 2003/014022.

5. WO 2003/014022 published February 20, 2003, less than 1 year prior to the effective filing date of the instant application on November 12, 2003.

6. Only the individuals listed in paragraph 4 above conceived or invented the subject matter disclosed in this publication.

7. I understand that WO 2003/014022 was relied upon in the January 22, 2010 Office Action to reject claims 1 - 2, 13 - 15, 23 - 26 and 43 - 44 under 35 U.S.C. § 102(a) as anticipated, or in the alternative, under 35 U.S.C. § 103(a) as obvious. The present declaration is submitted to establish that WO 2003/014022 describes the Applicants' own work.

8. Upon information and belief, the inventions claimed in the present application were conceived and reduced to practice solely by Nobuo KIMURA, Yoshitaka FUJITA, Norifumi NAKAMOTO, Motoyuki TOKI, Akiji HIGUCHI, Kazuo ONO, Tomoya HIDAKA and Hiroyuki TAKEDA.

9. I further declare that all statements herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the present application or any patent issuing thereon.

Nobuo Kimura  
Nobuo KIMURA

02/16/2010  
Date

Yoshitaka Fujita  
Yoshitaka FUJITA

02/16/2010  
Date